

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

CHEVRON CORPORATION,

Plaintiff,

v.

STEVEN DONZIGER *et al.*,

Defendants.

11-CV-0691

The Honorable Lewis A. Kaplan, U.S.D.J.  
The Honorable James C. Francis, U.S.M.J.

**DEFENDANTS' JOINT INTERIM OPPOSITION  
TO CHEVRON'S MOTION TO SUBSTITUTE.**

On August 15, 2013 Chevron moved for leave to substitute one of its testifying experts, Mr. Michael Younger, for another, Mr. Spencer Lynch, and supplement its initial disclosures with the report of Mr. Lynch. Dkt. 1340. However, Chevron failed to append Mr. Lynch's expert report to the motion; indeed, Mr. Lynch's report may not be available until August 30, 2013. Dkt. 1341, p. 3.

Neither defendants (nor the Court) should take a position on the matter of Chevron's request to substitute until the replacement report is made available for everyone's inspection. Depending on the contents of that report, and its similarity to the report it purports to replace, defendants may have no objection to the substitution and this matter may require no further Court involvement.

Defendants respectfully request that Chevron's motion (and defendants' time to oppose it on the merits) be held in abeyance until such time as Chevron serves a full and complete copy of Mr. Lynch's expert report; and that the Court enter an order allowing the defendants to supplement this Opposition within 7 days after the service of the expert report.

Dated: August 26, 2013

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